

D R A F T

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2019-

**TO AUTHORIZE THE DEPUTY DIRECTOR OF THE DIVISION OF FINANCIAL ASSISTANCE
(DIVISION) TO MODIFY THE TERMS OF FINANCING AGREEMENTS FOR COMMUNITIES
AFFECTED BY FIRES DURING 2018**

WHEREAS:

1. Several financing recipients and the communities they serve, including Paradise Irrigation District and Del Oro Water Company, devastated by the California fires of 2018 are expected to be prevented from making full or timely payments under the terms of their Clean Water or Drinking Water State Revolving Fund financing agreements (SRF Loans), as the water or wastewater systems financed through the SRF Loans were severely damaged or destroyed or a significant portion of the ratepayer base has been displaced;
2. The State Water Board administers its SRF Loans in accordance with state and federal law and pursuant to the Policy for Implementing the Drinking Water State Revolving Fund, adopted by the State Water Board on October 21, 2014 (DWSRF Policy), the Policy for Implementing the Clean Water State Revolving Fund, most recently amended by the State Water Board on November 28, 2018 (CWSRF Policy); the relevant CWSRF or DWSRF Intended Use Plans (IUP) in effect at the time of funding; Operating Agreements with the United States Environmental Protection Agency (U.S. EPA); and capitalization grant terms established by U.S. EPA.

THEREFORE, BE IT RESOLVED THAT:

For communities devastated by the California wildfires of 2018 that the Deputy Director of the Division determines are prevented from making full or timely payments under the terms of their SRF Loans, due to severe damage or destruction of the system financed by the SRF Loan or due to displacement of a significant portion of the ratepayer base, she is authorized to amend SRF Loans to modify their terms as she deems appropriate, consistent with state and federal law, including but not limited to providing for the restructuring or deferral of repayments, a change in interest rate, forgiveness of principal, and providing additional assistance notwithstanding contrary provisions in any Policies, Guidelines, or IUPs.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 8, 2019.

Jeanine Townsend
Clerk to the Board